



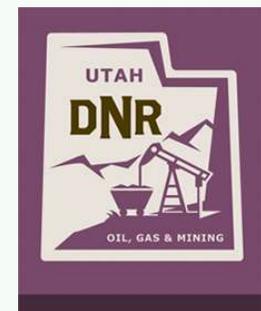
**WASTE MANAGEMENT
& RADIATION CONTROL**

WELCOME TO THE

E & P WASTE

STAKEHOLDER MEETING

November 17, 2021 12:00 PM





SOLID WASTE DEFINITION CHANGE

EPA expects that all solid wastes from the oil and gas industry be properly characterized and managed under the state primacy Solid Waste Program or equivalent programs.

SEE 40 CFR 261.2. THE DEFINITION OF SOLID WASTE IS NOT LIMITED TO WASTES THAT ARE PHYSICALLY SOLID. MANY SOLID WASTES ARE LIQUID, SEMI-SOLID, OR CONTAINED GASEOUS MATERIAL. A SOLID WASTE IS NEARLY ANY MATERIAL THAT IS DISCARDED.

CONTINUED REGULATION

DIVISION OF OIL GAS & MINING

Produced water production, management, transportation, treatment, disposal (including evaporation), and other disposition (including re-injection).

Reserve pit design, operations, and closure under DOGM rules and abandonment criteria; and

Certain oil and gas-derived materials management that does not amount to disposal as addressed in DOGM rules.





DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL

REGULATION OF SOLID AND HAZARDOUS WASTE ACT AND RULES

All other solid and hazardous wastes (discarded materials) generated from the exploration, development, or production of crude oil and gasses, including drilling fluids and muds, and other liquid wastes that do not fall under DOGM (previous slide).

PERMIT BY RULE

DWMRC will support the promulgation of a Permit by Rule for everything continuing under DOGM regulation (slide 2), to the extent that such activities and operations require a permit under the Solid and Hazardous Waste Act.

However, new commercial disposal facilities (accepting third-party waste for profit) after **May 13, 2019** will still need statutory approval from the Legislature and the Governor, as well as a Needs Assessment approved by DWMRC, under the Solid and Hazardous Waste Act. The Director of DWMRC deems facilities permitted *before May 13, 2019 as grandfathered.*

LANDFARM PROGRAM

DOGM will discontinue its existing landfarm program as of a future transition date [TBD].

DWMRC will provide new landfill permits under the Solid and Hazardous Waste Act and rules to qualifying existing DOGM-permitted landfarm operations.





PERMITTED LANDFARM TRANSITION

Options

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Operators

- Closure under DOGM's program prior to transition date, subject to DWMRC Concurrence ; or
- Closure under a new DWMRC Closure-Post Closure Permit before or after the transition date. This will not allow for disposal of any new wastes and the permit will require the landfarm operator to perform final closure with a cover that meets the alternative final cover requirements of Utah Admin Code R315-303-3(4); or
- A new DWMRC landfill may be permitted within all or part of the operational footprint of a former DOGM-permitted landfarm. New DWMRC landfill permits will need to meet all DWMRC requirements, including siting, engineering, financial assurance, etc.

DOGM-permitted landfarms may continue to operate and receive wasted under existing permitting and rules until transition date.

DWMRC Permit Applications will be due no later than a date certain [TBD], but may also be submitted at anytime before then, with DOGM Concurrence.

Existing DOGM bonds will be released after the operator has new DWMRC Permit and approved DWMRC financial assurance.

RULEMAKING

Program changes will require both agencies to undertake rulemaking.

DWMRC Permit
by Rule;

DWMRC rules regarding
new E&P Waste landfill
classification, including any
special requirements for
liquids management,
liners, and so forth;

DOGM will eliminate its
disposal program rules
relating to its landfarm
program and makes other
conforming changes.





STAKEHOLDER & INDUSTRY OUTREACH

DWMRC & **DOGM** ARE
COMMITTED TO PURSUING
MEANINGFUL OUTREACH

Proposed schedule and other details to be determined after stakeholder outreach, but preliminary estimates could be up to 36 months.

DOGM-DWMRC will have a Memorandum of Agreement reflecting clear guidelines, roles and so forth.

THANK YOU FOR COMING!



WASTE MANAGEMENT
& RADIATION CONTROL

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